

UNITED STATES DISTRICT COURT

Southern

District of

New York

HINDS COUNTY, MISSISSIPPI, on behalf of  
itself and all other similarly situated entities,

SUMMONS IN A CIVIL ACTION

v.  
WACHOVIA BANK, N.A., et al.

CASE NUMBER:

08 CV 2516

TO: (Name and address of Defendant)

MORGAN STANLEY  
1585 Broadway  
New York, NY 10036

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

SERCARZ & RIOPELLE, LLP  
152 W. 57TH STREET  
NEW YORK, NY 10019

an answer to the complaint which is served on you with this summons, within 20 days after service  
of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you  
for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the  
Clerk of this Court within a reasonable period of time after service.

MAR 13 2008

J. MICHAEL McMAHON

CLERK

*J. McMahon*

DATE

(By) DEPUTY CLERK

AO 440 (Rev. DC - September 2003) Summons in a Civil Action

RETURN OF SERVICE		
Service of the Summons and complaint was made by me <sup>(1)</sup> <b>Jason Aqee #1196790</b>	DATE March 24, 2008	12:54 p.m.
NAME OF SERVER (PRINT)	TITLE <b>Private Process Server</b>	
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served: _____  <hr/>		
<input type="checkbox"/> Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. Name of person with whom the summons and complaint were left: _____  <hr/>		
<input type="checkbox"/> Returned unexecuted: _____  <hr/>		
<b>XXX Other (specify): by serving Dana Balaek, Legal Assistant, authorized to accept. Service was completed at 1633 Broadway, New York, NY</b>  <hr/>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
DECLARATION OF SERVER		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on <u>3-25-08</u>   Date <u>                        </u>   Signature of Server <u>                        </u> Jason Aqee  Capitol Process Services, Inc.  1827 18th Street, NW  Washington, DC 20009  Address of Server <u>                        </u> </p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-X

HINDS COUNTY, MISSISSIPPI, on behalf  
of itself and all other similarly situated  
entities,

Plaintiff(s),

CASE NO. 08 CV 2516

-against-

WACHOVIA BANK, N.A., ET AL.,

Defendant(s).

AFFIDAVIT OF SERVICE

STATE OF NEW YORK )

s.s :

COUNTY OF NEW YORK )

-X

JASON AGEE, being duly sworn, deposes and says that he is an agent of CAPITOL PROCESS SERVICES, INC., is over the age of eighteen years and is not a party to the action.

That on the 24th day of March, 2008, at approximately 12:54 p.m., deponent served a true copy of the **SUMMONS IN A CIVIL ACTION and CLASS ACTION COMPLAINT** upon Morgan Stanley at 1633 Broadway, New York, New York by personally delivering and leaving the same with Dana Balacek, Legal Assistant, who is authorized by appointment to accept service.

Dana Balacek is a white female, approximately 40 years of age, is approximately 5 feet and 6 inches tall, weighs approximately 115 pounds, with long brown hair and hazel eyes.

Sworn to before me this  
24th day of March, 2008

  
JASON AGEE #1196790

**Capitol Process Services, Inc.**

1827 18th Street, N.W.  
Washington, D.C. 20009  
(202) 667-0050

  
MICHAEL J. KEATING  
NOTARY PUBLIC, STATE OF NEW YORK  
Reg. No. 01-KE-4851559  
Qualified in New York County  
Commission expires February 3, 2010